

APPENDIX C:
Independent Grounds for Dismissal of State Consumer Protection Claims (Section VI of Mem. of Law)*

State Subclass	Statute(s)	Count Paragraphs Named Plaintiff(s)	Independent Deficiencies in Plaintiffs' Claims	Relevant Authorities
NJ ¹	New Jersey Consumer Fraud Act (NJSA §§ 56:8-1, <i>et seq.</i>)	Count I ¶¶ 165-179 (Caputo)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	NJSA § 56:8-2; <i>Frederico v. Home Depot</i> , 507 F.3d 188, 200 (3d Cir. 2007)
			Failure to satisfy Rule 9(b) with respect to falsity	<i>Adamson v. Ortho-McNeil Pharm., Inc.</i> , 463 F. Supp. 2d 496, 501 (D.N.J. 2006)
			Failure to satisfy Rule 9(b) with respect to ascertainable loss	<i>In re Riddell Concussion Reduction Litig.</i> , 77 F. Supp. 3d 422, 433 (D.N.J. 2015)
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)
AL	Alabama Deceptive Trade Practices Act (Ala. Code §§ 8-19-1, <i>et seq.</i>)	Count I ¶¶ 205-212 (Mose)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	Ala. Code § 8-19-10(a); <i>Billions v. White & Stafford Furniture Co.</i> , 528 So. 2d 878, 880 (Ala. Civ. App. 1988)
			Failure to satisfy Rule 9(b) with respect to falsity	<i>Lynn v. Fort McClellan Credit Union</i> , 2013 WL 5707372, at *7 (N.D. Ala. Oct. 21, 2013)
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)
			Barred by statute of limitations	Ala. Code § 8-19-14
			Failure to provide pre-suit notice to Daimler AG	Ala. Code § 8-19-10(e)
AZ	Arizona Consumer Fraud Act (Ariz. Rev. Stat. §§ 44-1521, <i>et seq.</i>)	Count I ¶¶ 238-253 (Vidal)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	Ariz. Rev. Stat. § 44-1522
			Failure to satisfy Rule 9(b) with respect to falsity	<i>Williamson v. Allstate Ins. Co.</i> , 204 F.R.D. 641, 645 (D. Ariz. 2001)
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)

* This appendix addresses grounds specific to dismissal of plaintiffs' state statutory claims.

¹ Plaintiffs also bring claims on behalf of the putative nationwide class under New Jersey law. CAC at 94.

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CA	Cal. Unfair Competition Law (Cal. Bus. & Prof. Code §§ 17200, <i>et seq.</i>)	Count I ¶¶ 279-294 (Roberts; Andary; Dr. Roberts; Smith)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	Cal. Bus. & Prof. Code §§ 17203, 17204; <i>Doe v. Successfulmatch.com</i> , 2014 WL 1494347, at *4-5 (N.D. Cal. Apr. 16, 2014)
			Failure to satisfy Rule 9(b) with respect to falsity	<i>Smith v. LG Elecs. U.S.A., Inc.</i> , 2014 WL 989742, at *11 (N.D. Cal. Mar. 11, 2014)
			Failure to satisfy Rule 9(b) with respect to ascertainable loss	Cal. Bus. & Prof. Code §§ 17203, 17204
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)
	Cal. Consumer Legal Remedies Act (Cal. Civ. Code §§ 1750, <i>et seq.</i>)	Count II ¶¶ 295-316 (same)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	Cal. Civ. Code § 1780(a); <i>Tae Hee Lee v. Toyota Motor Sales, U.S.A., Inc.</i> , 992 F. Supp. 2d 962, 974 (C.D. Cal. 2014)
			Failure to satisfy Rule 9(b) with respect to falsity	<i>Smith v. LG Elecs. U.S.A., Inc.</i> , 2014 WL 989742, at *11 (N.D. Cal. Mar. 11, 2014)
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)
			Failure to provide pre-suit notice to Daimler AG	Cal. Civ. Code § 1782
	Cal. False Advertising Law (Cal. Bus. & Prof. Code §§ 17500, <i>et seq.</i>)	Count III ¶¶ 317-324 (same)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	Cal. Bus. & Prof. Code § 17500; <i>Smith v. LG Elecs. U.S.A., Inc.</i> , 2014 WL 989742, at *10 (N.D. Cal. Mar. 11, 2014)
			Failure to satisfy Rule 9(b) with respect to falsity	<i>Smith v. LG Elecs. U.S.A., Inc.</i> , 2014 WL 989742, at *11 (N.D. Cal. Mar. 11, 2014)
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)
CO	Colorado Consumer Protection Act (Colo. Rev. Stat. §§ 6-1-101, <i>et seq.</i>)	Count I ¶¶ 350-367 (Hall; McVey)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	Colo. Rev. Stat. § 6-1-105; <i>Rhino Linings USA, Inc. v. Rocky Mountain Rhino Lining, Inc.</i> , 62 P.3d 142, 147 (Colo. 2003)
			Failure to satisfy Rule 9(b) with respect to falsity	<i>Rhino Linings USA, Inc. v. Rocky Mountain Rhino Lining, Inc.</i> , 62 P.3d 142, 144 (Colo. 2003)
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)
CT	Connecticut Unfair Trade Practices Act (Conn. Gen. Stat. §§ 42-110a, <i>et seq.</i>)	Count I ¶¶ 393-410 (Lingua)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	Conn. Gen. Stat. § 42-110b; <i>Aviamax Aviation Ltd. v. Bombardier Aerospace Corp.</i> , 2010 WL 1882316, at *9 (D. Conn. May 10, 2010)
			Failure to satisfy Rule 9(b) with respect to falsity	<i>E. Point Sys., Inc. v. Steven Maxim, S2k, Inc.</i> , 133 F. Supp. 3d 430, 434 (D. Conn. 2015)

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State Subclass	Statute(s)	Count Paragraphs Named Plaintiff(s)	Independent Deficiencies in Plaintiffs' Claims	Relevant Authorities
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)
DE	Delaware Consumer Fraud Act (Del. Code Ann. tit. 6, §§ 2513, <i>et seq.</i>)	Count I ¶¶ 436-452 (Fox)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	Del. Code Ann. tit. 6, § 2513; <i>Johnson v. ACE Cash Express, Inc.</i> , 2014 WL 3721947, at *7 (D. Del. July 24, 2014)
			Failure to satisfy Rule 9(b) with respect to falsity	<i>Eames v. Nationwide Mut. Ins. Co.</i> , 412 F. Supp. 2d 431, 437 (D. Del. 2006)
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)
FL	Fla. Deceptive & Unfair Trade Practices Act (Fla. Stat. §§ 501.201, <i>et seq.</i>)	Count I ¶¶ 478-494 (Watkins)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	Fla. Stat. § 501.204(1); <i>D.H.G. Props., LLC v. Ginn Cos.</i> , 2010 WL 5584464, at *6 (M.D. Fla. Sept. 28, 2010)
			Failure to satisfy Rule 9(b) with respect to falsity	<i>In re GNC Corp.</i> , 789 F.3d 505, 513 & n.6 (4th Cir. 2015)
			Failure to satisfy Rule 9(b) with respect to ascertainable loss	<i>Rollins, Inc. v. Butland</i> , 951 So.2d 860, 873 (Fla. Dist. Ct. App. 2006)
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)
			Barred by statute of limitations	Fla. Stat. § 95.11(3)(f); <i>McKissic v. Country Coach, Inc.</i> , 2008 WL 2782678, at *8 (M.D. Fla. July 16, 2008)
GA	Ga. Fair Business Practices Act (Ga. Code §§ 10-1-390, <i>et seq.</i>)	Count I ¶¶ 520-536 (Ngwashi; Hamilton)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	Ga. Code § 10-1-399(a); <i>Zeeman v. Black</i> , 156 Ga. App. 82, 86-87 (1980)
			Failure to satisfy Rule 9(b) with respect to falsity	<i>Tiismann v. Linda Martin Homes Corp.</i> , 281 Ga. 137, 141 (2006)
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)
			Failure to provide pre-suit notice to Daimler AG	Ga. Code § 10-1-399(b)
ID	Idaho Consumer Protection Act (Idaho Code §§ 48-601, <i>et seq.</i>)	Count I ¶¶ 562-579 (Morgan)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	Idaho Code § 48-608
			Failure to satisfy Rule 9(b) with respect to falsity	Idaho Code §§ 48-603 (5), (7), (9), (17)
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)
			Failure to allege the existence of a contract with Defendants.	<i>Moto Tech, LLC v. KTM N. Am., Inc.</i> , 2013 WL 6446239, at *3 (D. Idaho Dec. 9, 2013)

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IL	Illinois Consumer Fraud & Deceptive Bus. Practices Act (815 ILCS 505/1 & 720 ILCS 295/1A)	Count I ¶¶ 605-623 (Melnik)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	815 ILCS 505/2; <i>Oliveira v. Amoco Oil Co.</i> , 776 N.E.2d 151, 160-64 (Ill. 2002)
			Failure to satisfy Rule 9(b) with respect to falsity	<i>Spector v. Mondelez Int'l, Inc.</i> , --- F. Supp. 3d ----, 2016 WL 1270493, at *3 (N.D. Ill. Mar. 31, 2016)
			Failure to satisfy Rule 9(b) with respect to ascertainable loss	<i>Camasta v. Jos. A. Bank Clothiers, Inc.</i> , 761 F.3d 732, 739 (7th Cir. 2014)
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)
KY	Ky. Consumer Protection Act (Ky. Rev. Stat. §§ 367.110, <i>et seq.</i>)	Count I ¶¶ 649-665 (Downs)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	Ky. Rev. Stat. § 367.220; <i>Mitchell v. Gen. Motors LLC</i> , 2014 WL 1319519, at *4 (W.D. Ky. Mar. 31, 2014)
			Failure to satisfy Rule 9(b) with respect to falsity	<i>Wells v. Craig & Landreth Cars, Inc.</i> , 474 F. App'x 445, 446 (6th Cir. 2012)
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)
			Failure to allege the existence of a contract with Defendants.	<i>Campbell v. Capital One, N.A.</i> , 2012 WL 4959611, at *2 (W.D. Ky. Oct. 16, 2012)
MD	Md. Consumer Protection Act (Md. Code Com. Law §§ 13-101, <i>et seq.</i>)	Count I ¶¶ 691-706 (Fraga-Errecart; Zavareei)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	Md. Code Com. Law § 13-408(a); <i>Stewart v. Bierman</i> , 859 F. Supp. 2d 754, 768-69 (D. Md. 2012)
			Failure to satisfy Rule 9(b) with respect to falsity	<i>Rojas-Roberts v. Ocwen Loan Servicing, LLC</i> , 2015 WL 5047494, at *6 (D. Md. Aug. 25, 2015)
			Failure to satisfy Rule 9(b) with respect to ascertainable loss	<i>Green v. Wells Fargo Bank, N.A.</i> , 927 F. Supp. 2d 244, 255 (D. Md. 2013)
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)
MA	Mass. Consumer Protection Act (Mass. Gen. Laws Ch. 93A)	Count I ¶¶ 732-733 (Garmey; Gates)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	Mass. Gen. Laws ch. 93A, § 9; <i>Iannacchino v. Ford Motor Co.</i> , 451 Mass. 623, 629-34 (2008)
			Failure to satisfy Rule 9(b) with respect to falsity	<i>Cummings v. HPG Int'l, Inc.</i> , 244 F.3d 16, 25 (1st Cir. 2001)
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)
			Failure to provide pre-suit notice to Daimler AG	Mass. Gen. Laws ch. 93A, § 9(3)

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MI	Michigan Consumer Protection Act (Mich. Comp. Laws §§ 445.903, <i>et seq.</i>)	Count I ¶¶ 759-775 (O'Neal)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	Mich. Comp. Laws § 445.903; <i>Kussy v. Home Depot U.S.A., Inc.</i> , 2006 WL 3447146, at *5 (E.D. Mich. 28, 2006)
			Failure to satisfy Rule 9(b) with respect to falsity	<i>Kussy v. Home Depot U.S.A. Inc.</i> , 2006 WL 3447146, at *5 (E.D. Mich. (Nov. 28, 2006)
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)
			Barred by statute of limitations	Mich. Comp. Laws § 445.911(7); <i>Laura v. DaimlerChrysler Corp.</i> , 711 N.W.2d 792, 794-95 (Mich. Ct. App. 2006)
MN	Minn. Prevention of Consumer Fraud Act (Minn. Stat. §§ 325F.68, <i>et seq.</i>)	Count I ¶¶ 801-817 (Wolford)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	Minn. Stat. § 325F.69; <i>Grp. Health Plan, Inc. v. Philip Morris Inc.</i> , 621 N.W.2d 2, 13-14 (Minn. 2001)
			Failure to satisfy Rule 9(b) with respect to falsity	<i>Zapata v. Walgreen Co.</i> , 2009 WL 3644897, at *3 (D. Minn. Nov. 2, 2009)
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)
MO	Missouri Merchandising Practices Act (Mo. Rev. Stat. §§ 407.010, <i>et seq.</i>)	Count I ¶¶ 843-859 (Thorson; Yun)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	Mo. Rev. Stat. § 407.025(1); <i>Owen v. Gen. Motors Corp.</i> , 533 F.3d 913, 922 (8th Cir. 2008)
			Failure to satisfy Rule 9(b) with respect to falsity	<i>Mattingly v. Medtronic, Inc.</i> , 466 F. Supp. 2d 1170, 1173-74 (E.D. Mo. 2006)
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)
			Barred by economic loss doctrine	<i>In re Elk Cross Timbers Decking Mktg.</i> , 2015 WL 6467730, at *20 (D.N.J. Oct. 26, 2015)
MT	Mont. Unfair Trade Practices & Consumer Protection Act (Mont. Code Ann. §§ 30-14-101, <i>et seq.</i>)	Count I ¶¶ 885-902 (Silverio)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	Mont. Code § 30-14-133
			Failure to satisfy Rule 9(b) with respect to falsity	<i>WLW Realty Partners v. Cont'l Partners</i> , 360 P.3d 1112, 1118 (Mont. 2015)
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)
NV	Nevada Deceptive Trade Practices Act (Nev. Rev. Stat. §§ 598.0903, <i>et seq.</i>)	Count I ¶¶ 928-942 (Reed; Yanus)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	Nev. Rev. Stat. § 41.600(1); <i>Picus v. Wal-Mart Stores, Inc.</i> , 256 F.R.D. 651, 657-58 (D. Nev. 2009)
			Failure to satisfy Rule 9(b) with respect to falsity	<i>Shlesinger v. Bank of Am., N.A.</i> , 2012 WL 2995698, at *6 (D. Nev. July 23, 2012)
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)

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NY	N.Y. Gen. Bus. Law § 349	Count I ¶¶ 968-982 (Weiss; Laurino)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	N.Y. Gen. Bus. Law § 349(h); <i>Gale v. Int'l Bus. Machs. Corp.</i> , 9 A.D.3d 446, 447 (N.Y. App. Div. 2004)
			Failure to satisfy Rule 9(b) with respect to falsity	<i>Cytec Corp. v. Neuromedical Sys., Inc.</i> , 12 F. Supp. 2d 296, 300 (S.D.N.Y. 1998)
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)
	N.Y. Gen. Bus. Law § 350	Count II ¶¶ 983-999 (same)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	N.Y. Gen. Bus. Law § 350(e); <i>Gershon v. Hertz Corp.</i> , 215 A.D.2d 202, 203 (N.Y. App. Div. 1995)
			Failure to satisfy Rule 9(b) with respect to falsity	<i>Cytec Corp. v. Neuromedical Sys., Inc.</i> , 12 F. Supp. 2d 296, 300 (S.D.N.Y. 1998)
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)
NC	N.C. Unfair & Deceptive Trade & Practices Act (N.C. Gen. Stat. §§ 75-1.1, <i>et seq.</i>)	Count I ¶¶ 1025-1041 (Minerva; Holbrook)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	N.C. Gen. Stat. § 75-16; <i>Bumpers v. Cmty. Bank of N. Va.</i> , 747 S.E.2d 220, 226-27 (N.C. 2013)
			Failure to satisfy Rule 9(b) with respect to falsity	<i>Smith v. Cent. Soya of Athens, Inc.</i> , 604 F. Supp. 518, 530 (E.D.N.C. 1985)
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)
			Barred by economic loss doctrine	<i>In re Elk Cross Timbers Decking Mktg.</i> , 2015 WL 6467730, at *20 (D.N.J. Oct. 26, 2015)
OH	Ohio Consumer Sales Practices Act (Ohio Rev. Code §§ 1345.01, <i>et seq.</i>)	Count I ¶¶ 1067-1083 (Deutsch)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	Ohio Rev. Code § 1345.02; <i>Lilly v. Hewlett-Packard Co.</i> , 2006 WL 1064063, at *5 (S.D. Ohio Apr. 21, 2006)
			Failure to satisfy Rule 9(b) with respect to falsity	<i>In re GNC Corp.</i> , 789 F.3d 505, 513 & n.6 (4th Cir. 2015)
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)
PA	Pa. Unfair Trade Practices & Consumer Protection Law (73 P.S. §§ 201-1, <i>et seq.</i>)	Count I ¶¶ 1109-1125 (Dingle)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	73 P.S. § 201-9.2; <i>Yocca v. Pittsburgh Steelers Sports, Inc.</i> , 854 A.2d 425, 438-39 (Pa. 2004)
			Failure to satisfy Rule 9(b) with respect to falsity	<i>Rosenberg v. Avis Rent-A-Car Sys., Inc.</i> , 2007 WL 2213642, at *5 (E.D. Pa. July 31, 2007)
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)
			Barred by economic loss doctrine	<i>Werwinski v. Ford Motor Co.</i> , 286 F.3d 661, 681 (3d Cir. 2002)

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TN	Tenn. Consumer Protection Act (Tenn. Code Ann. §§ 47-18-101, <i>et seq.</i>)	Count I ¶¶ 1151-1168 (Daschke)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	Tenn. Code Ann. § 47-18-109; <i>Land v. Dixon</i> , 2005 WL 1618743, at *4 (Tenn. Ct. App. July 12, 2005)
			Failure to satisfy Rule 9(b) with respect to falsity	<i>Warren v. Warrior Golf Capital, LLC</i> , 126 F. Supp. 3d 988, 997 (E.D. Tenn. 2015)
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)
TX	Texas Deceptive Trade Practices Act (Tex. Bus. & Com. Code §§ 17.41, <i>et seq.</i>)	Count I ¶¶ 1194-1211 (Patel; Jordan)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	Tex. Bus. & Com. Code § 17.50
			Failure to satisfy Rule 9(b) with respect to falsity	Tex. Bus. & Com. Code § 17.46
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)
			Failure to provide pre-suit notice to Daimler AG	Tex. Bus. & Com. Code § 17.505(a)
UT	Utah Consumer Sales Practices Act (Utah Code Ann. §§ 13-11-1, <i>et seq.</i>)	Count I ¶¶ 1237-1254 (Dilgistic; Knight)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	Utah Code Ann. §§ 13-11-4; 13-11-19
			Failure to satisfy Rule 9(b) with respect to falsity	Utah Code Ann. §§ 13-11-4(2)(a)-(b); 13-11-5
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)
VA	Va. Consumer Protection Act (Va. Code Ann. §§ 59.1-196, <i>et seq.</i>)	Count I ¶¶ 1280-1296 (Lynevych; Feller)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	Va. Code Ann. § 59.1-204; <i>Owens v. DRS Auto. Fantomworks, Inc.</i> , 764 S.E.2d 256, 261 (Va. 2014)
			Failure to satisfy Rule 9(b) with respect to falsity	<i>Murphy v. Capella Educ. Co.</i> , 589 F. App'x 646, 657 (4th Cir. 2014)
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)
			Barred by economic loss doctrine	<i>In re Elk Cross Timbers Decking Mktg.</i> , 2015 WL 6467730, at *20 (D.N.J. Oct. 26, 2015)
WA	Wash. Consumer Protection Act (Wash. Rev. Code Ann. §§ 19.86.010, <i>et seq.</i>)	Count I ¶¶ 1322-1338 (Medler; Rolle)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	Wash. Rev. Code Ann. § 19.86.090; <i>Robinson v. Avis Rent-A-Car Sys. Inc.</i> , 22 P.3d 818, 823 (Wash. Ct. App. 2001)
			Failure to satisfy Rule 9(b) with respect to falsity	<i>Chau v. Aviva Life & Annuity Co.</i> , 2011 WL 1990446, at *9 (N.D. Tex. May 20, 2011)
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)

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WV	West Virginia Consumer Credit & Protection Act (W. Va. Code §§ 46A-1-101, <i>et seq.</i>)	Count I ¶¶ 1363-1383 (Edwards)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	W. Va. Code § 46A-6-106(a); <i>White v. Wyeth</i> , 705 S.E.2d 828, 837 (W. Va. 2010)
			Failure to satisfy Rule 9(b) with respect to falsity	<i>Midwestern Midget Football Club Inc. v. Riddell, Inc.</i> , 2015 WL 4727438, at *4-5 (S.D. W. Va. Aug. 10, 2015)
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)
			Failure to provide pre-suit notice to Daimler AG	W. Va. Code § 46A-6-106(c)
WI	Wisconsin Deceptive Trade Practices Act (Wis. Stat. § 100.18, <i>et seq.</i>)	Count I ¶¶ 1409-1426 (Dannberg)	Failure to satisfy Rule 9(b) with respect to reliance and/or causal nexus	Wis. Stat. Ann. § 100.18(11)(b)(2); <i>Novell v. Migliaccio</i> , 749 N.W.2d 544, 552-54 (Wis. 2008)
			Failure to satisfy Rule 9(b) with respect to falsity	Wis. Stat. Ann. § 100.18(1)
			Failure to differentiate between Defendants	<i>MDNet, Inc. v. Pharmacia Corp.</i> , 147 F. App'x 239, 244-45 (3d Cir. 2005)